

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALFREDO VALDOVINOS-DIAZ,

Defendant.

Case No. CR20-5447-01-RJB

DETENTION ORDER

THE COURT accepts the stipulation to detention without prejudice, offered by the defense and agreed to by the Government, and also finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of the defendant as required and/or the safety of any other person and the community.

This finding is based on 1) the nature and circumstances of the offense(s) charged, 2) the weight of the evidence against the person; 3) the history and characteristics of the person; and 4) the nature and seriousness of the danger release would impose to any person or the community.

Findings of Fact/ Statement of Reasons for Detention

The Court finds that Mr. Sanchez-Espino presents a danger to others and to the community, which the Pretrial Services Report (Dkt. 31) shows by clear and convincing evidence -- based on criminal history showing a prior conviction in 2014 for conspiracy to distribute methamphetamine, for which the defendant received a sentence of 96 months in federal custody with four years of supervised release. The Court also finds dangerousness by clear and convincing evidence based on allegations concerning possession, intent to distribute, and conspiracy

1 in relation to distribution of methamphetamine – as charged in the Indictment
2 (Dkt. 1) concerning the current offense.

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4 The Court also finds a risk of failure to appear, and risk of flight, based on the
5 defendant having allegedly committed the instant offenses while in prison serving
6 time in federal custody. Dkt. 31 at 3. According to the Pretrial Services Report,
7 Mr. Valdovinos-Dias is a citizen of Mexico; he was arrested in Oklahoma on the
8 instant charges; the uncertainty of his immigration status (there has been an
9 immigration detainer lodged against him since 2014) shows he is a flight risk.
10 And, the Indictment for allegedly committing new federal felony drug offenses
11 while in custody serving a sentence for a previous federal felony drug offense,
12 shows by a preponderance of the evidence that he is a risk for ignoring court
13 orders and failing to appear, or a risk of flight. Pretrial Services Report (Dkt. 31 at
14 2-3).

15 This order is entered without prejudice; the defendant may make a motion in the
16 future for a detention review hearing.

17 ***Order of Detention***

18 < **The defendant shall be committed to the custody of the Attorney General for**
19 **confinement in a corrections facility separate, to the extent practicable, from**
20 **persons awaiting or serving sentences or being held in custody pending**
21 **appeal.**

22 < **The defendant shall be afforded reasonable opportunity for private**
23 **consultation with counsel.**

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3 < **The defendant shall on order of a court of the United States or on request of**
4 **an attorney for the Government, be delivered to a United States Marshal for**
5 **the purpose of an appearance in connection with a court proceeding.**
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7 **March 29, 2021**

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9 Theresa L. Fricke
10 Theresa L. Fricke
11 United States Magistrate Judge
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